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Jeffrey C. Metzcar

52,027 Reg. No.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant

Nicholas Paul Cowley, et al.

Serial No.

09/935,028

Filed

August 22, 2001 DIGITAL TUNER

Title Docket

534334-014

Art Unit

2631

Examiner

Phuong M. Phu

Mail Stop Issue Fee Commissioner of Patents P.O. Box 1450 Arlington VA 22313-1450

COMMENTS ON EXAMINER'S STATED REASONS FOR ALLOWANCE

Applicants have reviewed the Examiner's Statement of Reasons for Allowance in the Notice of Allowability dated May 12, 2005, and offer the following comments in response.

Applicants note that the invention is defined by the claims. Therefore, applicants reserve the right to distinguish the claimed invention over the prior art based upon any element or combination of elements set forth in any given claim.

The public is hereby put on notice that the claims of any patent issued on the above-identified application shall not be limited by the Examiner's statements regarding reasons for allowance as each claim is defined by its own terms and will be asserted and enforced as broadly as written.

Respectfully submitted,

THOMPSON HINE LLP 2000 Courthouse Plaza, N.E. P.O. Box 8801 Dayton, Ohio 45401-8801 937-443-6841



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PATENT

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ALEXANDRIA VA 22313-1450

TRANSMITTAL OF FORMAL DRAWINGS

Attached please find the formal drawing for this application (1 sheet).

The Commissioner is authorized to charge any additional fee required by this paper or to credit any overpayment to Deposit Account No. 20-0809.

Respectfully submitted,

THOMPSON HINE LLP P.O. Box 8801 Dayton, Ohio 45401-8801 Telephone (937) 443-6841